United Nations S/2005/35

Security Council

Distr.: General
18 January 2005

Original: English

Letter dated 17 January 2005 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to Security Council resolution 1579 (2004) concerning Liberia. In paragraph 8 of the resolution, the Council re-established the Panel of Experts for a further period, until 21 June 2005, to undertake the tasks set out in the same paragraph of the resolution. In paragraph 9 of the same resolution, the Council requested me to appoint, in consultation with the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia, no more than five experts with the appropriate range of expertise, in particular on arms, timber, diamonds, finance, humanitarian and socio-economic and any other relevant issues.

Accordingly, I wish to inform you that, taking into account the requirements stated in resolution 1579 (2004), including that I draw as much as possible on the expertise of the members of the Panel of Experts established pursuant to resolution 1549 (2004), I have appointed the following five experts:

1. Mr. Arthur Blundell (Canada)
2. Mr. Damien Callamand (France)
3. Mr. Caspar Fithen (United Kingdom of Great Britain and Northern Ireland)
4. Mr. Tommy Garnett (Sierra Leone)
5. Mr. Rajiva Bhushan Sinha (India)

I should be grateful if you would bring this information to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

05-21286 (E) 190105

United Nations S/2005/36

Security Council

Distr.: General
20 January 2005

Original: English

Report of the Secretary-General on the United Nations Interim Force in Lebanon

(for the period from 21 July 2004 to 20 January 2005)

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1553 (2004) of 29 July 2004, by which the Council extended the mandate of the United Nations Interim Force in Lebanon (UNIFIL) for a further period of six months, until 31 January 2005. It covers developments since the issuance of my previous report, dated 21 July 2004 (S/2004/572).

II. Situation in the area of operation

2. During the reporting period, a relatively quiet but tense situation prevailed in the UNIFIL area of operation. Until this month, there had been a notable absence of armed exchanges between Hizbollah and the Israel Defense Forces (IDF), including in the Shab'a farms area. This quiet was decisively shattered, however, by a Hizbollah roadside bomb attack on an IDF convoy in the Shab'a farms area on 9 January, which killed an IDF soldier and wounded three others. The ensuing military reaction by IDF resulted in the death of a United Nations military observer and the injury of another.

3. Over the past six months there have also been two serious violations of the Blue Line involving rocket fire by unidentified, presumably Palestinian, armed elements operating from southern Lebanon, but no casualties resulted. Israeli air incursions into Lebanese airspace continued throughout the reporting period with little change and, in a new development, on one occasion Hizbollah launched a remotely piloted aerial vehicle, or drone, that penetrated Israeli airspace. There were, however, no instances of Hizbollah anti-aircraft fire across the line.

4. The grave incident that took place on 9 January occurred when a Hizbollah roadside explosive device was detonated as an IDF convoy was passing on patrol one kilometre south of the Blue Line in the Shab'a farms area. The first vehicle in the convoy was hit and an IDF soldier was killed and three others wounded. Several minutes later, two United Nations military observers and one Lebanese interpreter from Observer Group Lebanon, on patrol north of the Blue Line in the same

05-21076 (E) 190105

vicinity, came under IDF tank and machine gun fire. One United Nations observer, a French national, was killed and another, a Swedish national, was injured. The observers were on foot and wearing the United Nations insignia and blue berets.

5. IDF retaliation for the Hizbollah attack continued with artillery and small-arms fire directed at a Hizbollah position in the vicinity of Hula, followed by artillery shelling south of Kafr Shuba. Another artillery shell and four anti-tank rounds were fired by IDF towards Fatima gate, near Metulla, and a total of 14 aerial bombs were dropped near Kafr Kila, Ghajar and Shab'a. Hizbollah claimed one fighter killed and one wounded. In taking responsibility for the attack on the IDF convoy, Hizbollah said it was continuing its fight "to liberate" the Shab'a farms.

6. Following those events, on 17 January another Hizbollah roadside bomb exploded on the Israeli side of the Blue Line and damaged an IDF demining vehicle sent to clear any remaining explosive devices in the same area of the Shab'a farms. There were no casualties. IDF immediately launched a series of artillery shells into Lebanon around Kafr Shuba and dropped five aerial bombs on suspected Hizbollah positions near Al Hinniya and in the general area of Frum. Two Lebanese civilians were wounded.

7. My Personal Representative for Southern Lebanon and I condemned the military escalation and emphasized the need for restraint. I also underscored the obligation of both sides to ensure the safety and security of United Nations personnel in the area.

8. Earlier in the reporting period, perpetrators yet to be apprehended though generally believed to be Palestinian militants fired rockets on three separate occasions. On 9 October one rocket was fired from near Yarun in the general direction of Israel. The rocket malfunctioned and landed on the Lebanese side of the Blue Line. On 28 October a rocket was fired from the general area of Alma Ash Shab, which did cross the line. It landed in Israeli territory in an open field in the vicinity of Shlomi. On 15 November another rocket fired from Lebanon crossed the line and again landed near Shlomi.

9. There were no casualties or property damage reported as a result of those rocket-firing incidents. UNIFIL was able to quickly establish contact with IDF and Lebanese army authorities to aid in clarifying the situation and in reducing tensions that could well have led to escalation. IDF acted with restraint and did not respond militarily to any of the attacks. The Lebanese authorities took a public position against such attacks and pledged to take steps to prevent them.

10. Israeli air incursions into Lebanon continued throughout the reporting period. Such violations of the line occurred sporadically, but sometimes they involved a considerable number of aircraft. Israeli officials maintained the position that there would be overflights whenever they deemed them necessary. As in the past, the aircraft often penetrated deep into Lebanon, generating sonic booms over populated areas. The pattern identified in my previous reports continued, whereby some aircraft would fly out to sea and enter Lebanese airspace north of the UNIFIL area of operation, thus avoiding direct observation and verification by UNIFIL.

11. There were no instances of Hizbollah anti-aircraft fire across the Blue Line. However, on 7 November a drone launched from Lebanon crossed into Israel and flew over the town of Shlomi before re-entering southern Lebanon. The drone then fell into the sea near Naqoura. Hizbollah announced that it had operated the drone in

response to Israeli violations of Lebanese airspace and claimed that it would do so again as circumstances warranted.

12. My senior representatives in the region and I, as well as concerned Member States, called repeatedly upon the Governments of Israel and Lebanon to cease violations of the Blue Line and to refrain from actions that carried significant potential for escalation. We also continued to remind the parties that one violation did not justify another.

13. UNIFIL recorded a number of minor ground violations of the line, primarily by Lebanese shepherds and the rare hunter in the Shab'a farms and Ghajar areas. The violations involving the shepherds became an almost daily routine. The risk that they could lead to more serious incidents was demonstrated when, on several occasions, IDF fired shots in the air to warn the shepherds away. On one occasion, after two Lebanese civilians had reportedly attempted to damage the technical fence, IDF fired shots that hit their vehicle. There were also a few instances of IDF firing small and medium-sized arms and illumination rounds across the line, particularly at night in the Shab'a farms area.

14. In separate occurrences, five Lebanese nationals were apprehended by IDF after having crossed the Blue Line. Following brief interrogations, IDF turned each over to UNIFIL, which in turn handed them over to the Lebanese authorities.

15. Demonstrators on the Lebanese side of the Blue Line gathered periodically at the points of friction identified in my previous reports, Sheikh Abbad Hill east of Hula and Fatima gate west of Metulla, as well as several times at the north gate at Kafr Kila. The protestors, generally in small groups, irregularly threw stones and other objects at IDF positions.

16. The Lebanese Joint Security Force and the Lebanese Army continued to operate in the areas vacated by Israel four years ago. The strength and activity of the Joint Security Force generally remained the same, apart from an increase in operations and a more visible presence in the aftermath of the firing incidents described above. The Government of Lebanon continued to maintain the position that, so long as there was no comprehensive peace with Israel, Lebanese armed forces would not be deployed along the line of withdrawal.

17. Under those circumstances, Hizbollah maintained its visible presence near the Blue Line through a network of mobile checkpoints, fixed positions and patrols. Hizbollah established several new positions and observation points. On the whole, Hizbollah refrained from interfering with the mission's freedom of movement. Occasional temporary denials of access to UNIFIL patrols were quickly rectified and have declined overall.

18. UNIFIL provided assistance to the Lebanese civilian population in the form of medical care, water projects, equipment or services for schools and orphanages and supplied social services to the needy. UNIFIL assistance was provided from resources made available primarily by troop-contributing countries. UNIFIL cooperated closely on humanitarian matters with the Lebanese authorities, United Nations agencies, in particular the Economic and Social Commission for Western Asia and the United Nations Children's Fund, the International Committee of the Red Cross and other organizations and agencies operating in Lebanon.

19. The presence of a large number of minefields in the UNIFIL area of operation, which are now largely concentrated along the Blue Line owing to comprehensive demining in other sectors, remained a matter of serious concern. Since July one Lebanese civilian has been killed and one injured as a result of exploding mines. UNIFIL continued its operational demining activities, demolishing more than 100 mines and pieces of unexploded ordnance and clearing nearly 20,000 square metres of land. UNIFIL also regularly provided mine-risk education to local schoolchildren.

20. As a direct result of the success of the ongoing demining efforts in southern Lebanon, many of the previously landmine-afflicted areas are now cultivated or planted or otherwise benefit from increased access and development opportunities. While more remains to be done, the bulk of the landmines posing a direct humanitarian threat south of the Litani River have been cleared. The notable exception is the area adjacent to the Blue Line, where political and military obstacles to demining have impeded progress.

21. My Personal Representative continued to work in close collaboration with the United Nations Development Programme (UNDP) and other United Nations agencies in advocating for socio-economic needs and facilitating the funding and implementation of development projects in the south. UNDP continued to lead the efforts of the United Nations system in working with the Lebanese authorities for the development and rehabilitation of the south.

III. Organizational matters

22. UNIFIL operations were concentrated along the Blue Line. The Force remained focused on maintaining the ceasefire through ground and air patrols of its area of operation, observation from fixed positions and close contact with the parties, the latter with a view to correcting violations, resolving incidents and preventing escalation. The United Nations Truce Supervision Organization (UNTSO), through Observer Group Lebanon, supported UNIFIL in the fulfilment of its mandate.

23. As at 31 December 2004, UNIFIL comprised 2,001 troops, from France (204), Ghana (652), India (650), Ireland (5), Italy (54), Poland (238) and Ukraine (198). UNIFIL was assisted in its tasks by 51 military observers of UNTSO. A map showing the current deployment of UNIFIL is attached. In addition, UNIFIL employed 407 civilian staff, of whom 104 had been recruited internationally and 303 locally. Major General Alain Pellegrini continued as Force Commander. Staffan de Mistura continued to act as my Personal Representative for Southern Lebanon.

24. I regret to report the death of one member of UNIFIL, a Ghanaian soldier who was killed in a traffic accident, the death of a French member of Observer Group Lebanon and the wounding of a Swedish member of Observer Group Lebanon in the firing incident of 9 January. Since the establishment of UNIFIL, 246 members of the Force have lost their lives, 79 as a result of firing or bomb explosions, 105 as a result of accidents and 62 from other causes. Firing or mine explosions wounded a total of 345.

IV. Financial aspects

25. By its resolution 58/307 of 18 June 2004, the General Assembly appropriated to the Special Account for UNIFIL the amount of $93 million gross, equivalent to a monthly rate of $7.7 million, for the maintenance of the Force for the period from 1 July 2004 to 30 June 2005. Should the Security Council decide to extend the mandate of UNIFIL beyond 31 January 2005, as recommended in paragraph 36 below, the cost of its maintenance would be limited to the amounts approved by the Assembly.

26. As at 30 November 2004, unpaid assessments to the special account for UNIFIL for the period since its inception amounted to $47.1 million. The total outstanding assessed contributions for all peacekeeping operations at that date amounted to $2,299.3 million.

V. Observations

27. Over the past six months, the Blue Line has enjoyed a prolonged period of relative quiet. I had hoped that this situation would present an opportunity for achieving progress towards the objective of bringing international peace and security to southern Lebanon. But as has been demonstrated more than once over the past four years and unfortunately again this month, significant periods of quiet along the Blue Line are often followed by several episodes of hostilities. Furthermore, while violent incidents were considerably fewer than during the previous reporting period, tensions between the parties did not at any point appreciably diminish. Hostile rhetoric remained the norm and stability continued to be threatened, most dramatically by the incidents of 9 and 17 January, but also by rogue acts and, for the first time, air incursions from both sides.

28. The resumption of military measures, for which Hizbollah took credit, asserting its claimed prerogative to resist Israeli occupation of Lebanese territory by force, was disturbing. The United Nations has made abundantly clear that no violations of the Blue Line are acceptable. The continually asserted position of the Government of Lebanon that the Blue Line is not valid in the Shab'a farms area is not compatible with Security Council resolutions. The Council has recognized the Blue Line as valid for purposes of confirming Israel's withdrawal pursuant to resolution 425 (1978). The Government of Lebanon should heed the Council's repeated calls for the parties to respect the Blue Line in its entirety.

29. I was greatly troubled by the disregard shown for the safety and security of the unarmed United Nations military observers evidenced by the actions of IDF on 9 January. UNIFIL established without a doubt that the observers were wearing the United Nations insignia and their blue berets. While military necessity may demand prompt action in the face of an attack, the parties, in living up to their obligation to ensure the safety and security of United Nations personnel, should make every reasonable effort to be certain that United Nations personnel are not targeted.

30. The air violations continued to be a matter of significant concern. As long as Israel carries on with its policy of overflying Lebanon whenever it sees fit to do so, it risks provoking retaliatory acts from the Lebanese side. In addition, the periodic sonic booms generated over population centres only generate animosity in the local populace. While the lack of instances of anti-aircraft fire across the line during the

reporting period must be noted and welcomed, Hizbollah's launch of a drone into Israel was a regrettable development, an activity sure to raise tensions and to increase the prospects for military confrontation. I wish to remind all parties of the consistent position of the United Nations that there should be no air violations, a position that applies on both sides of the Blue Line.

31. The rocket-firing incidents perpetrated by individuals allegedly affiliated with Palestinian militant factions demonstrated the volatility of the sector. Importantly, none of the incidents resulted in a military escalation, and for this the parties and UNIFIL deserve credit. Nevertheless, this type of incident poses a great risk to stability in the area. The Government of Lebanon continued to exercise the capacity it has demonstrated thus far to exert its security authority through various activities of the Joint Security Force, including prompt responses to specific incidents. More needs to be done, however, to meet the Security Council's call for extended measures to ensure the return of effective governmental authority throughout the south, including through the deployment of additional Lebanese armed forces. Once again, I urge the Government to do its utmost to ensure calm and to exert full control over the use of force across its entire territory.

32. In both private and public forums, Israel and Lebanon have declared their desire to avoid confrontation. At times their actions have clearly supported those intentions. I encourage the parties to live up to those stated aspirations and to do their utmost to adhere to a course favouring peace and security. To that end, I reiterate the call upon all the parties to abide by their obligations under the relevant Security Council resolutions, to fully respect the withdrawal line in its entirety and to exercise utmost restraint.

33. Economic development of the south remains a pressing need and is inextricably linked to peace and security. I urge the Government of Lebanon, international donors, United Nations agencies and non-governmental organizations to bolster their efforts towards the continued economic rehabilitation and development of the south.

34. UNIFIL will continue to contribute to the restoration of international peace and security by observing, monitoring and reporting on developments in its area of operation and liaising with the parties to maintain calm. My Personal Representative will continue, in close consultation with other senior United Nations officials, to lend the political and diplomatic support of the United Nations to the parties to establish lasting peace and security in southern Lebanon.

35. The situation along the Blue Line continues to be susceptible to volatile regional developments. This again underscores the need to achieve a comprehensive, just and lasting peace in the Middle East, based on all the relevant resolutions of the Security Council, including resolutions 242 (1967), 338 (1973), 1397 (2002) and 1515 (2003).

36. In a letter dated 10 January 2005 (S/2005/13), the Permanent Representative of Lebanon to the United Nations conveyed to me his Government's request that the Security Council extend the mandate of UNIFIL for an additional period of six months. In the light of conditions prevailing in the area, I recommend that the Security Council extend the mandate of UNIFIL until 31 July 2005.

37. I must again draw attention to the unpaid assessments for the funding of the Force, which amount to $47.1 million. Eventually this represents money owed to the

Member States contributing the troops that make up the Force. I appeal to all Member States to pay their assessments promptly and in full and to clear all remaining arrears. I should like to express my gratitude to the Governments contributing troops to the Force for their understanding and patience.

38. In conclusion, I wish to express my appreciation to Mr. de Mistura, my Personal Representative, and to pay tribute to Major General Pellegrini and the men and women of UNIFIL for the manner in which they have carried out their tasks. Their discipline and bearing have been of a high order, reflecting credit on themselves and the United Nations.

Map No. 4144 Rev. 10 UNITED NATIONS
January 2005

Department of Peacekeeping Operations
Cartographic Section

United Nations S/2005/37

Security Council

Distr.: General
19 January 2005

Original: English

Letter dated 11 January 2005 from the Permanent Representative of Luxembourg to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement on the Sudan — signing of the comprehensive peace agreement on 9 January 2005 in Nairobi, issued on 11 January 2005 by the Presidency on behalf of the European Union (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Jean-Marc **Hoscheit**
Permanent Representative of Luxembourg to the United Nations

05-21362 (E) 200105

Annex to the letter dated 11 January 2005 from the Permanent Representative of Luxembourg to the United Nations addressed to the Secretary-General

[Original: English, French and Spanish]

Statement on the Sudan — signing of the comprehensive peace agreement on 9 January 2005 in Nairobi, issued on 11 January 2005 by the Presidency on behalf of the European Union

The European Union warmly welcomes the signing of the comprehensive peace agreement between the Government of the Sudan and the Sudan People's Liberation Movement/Army (SPLM/A). This agreement puts an end to one of the longest and most deadly conflicts on the African continent, which has cost the lives of 2 million people, and opens the way to a comprehensive political process designed to promote peace and development in all the regions of the Sudan.

The European Union commends the parties to the conflict and the Intergovernmental Authority on Development (IGAD) and its Mediator, General Lazarus Sumbeiy o, as well as all international observers, for this historic outcome. It congratulates the Kenyan Government for hosting and sustaining the negotiations.

The European Union would issue an appeal to the Sudanese Government and to SPLM/A rapidly to implement the agreement in full and reiterates its support for the international efforts to consolidate the agreement in close coordination with the United Nations, the African Union and IGAD.

However, a lasting peaceful solution cannot be achieved without a political solution to the Darfur conflict and other conflicts in the Sudan, particularly in the eastern region. The European Union urges the parties to seize this opportunity to work to restore peace throughout Sudanese territory as a whole.

The European Union is deeply dismayed that violence has once again erupted in Darfur and condemns the fact that all parties to the conflict have repeatedly broken the ceasefire. The resurgence of violence in Darfur can only have a negative impact on the efforts which the international community is prepared to make to assist in the reconstruction of the country, both in the north and in the south. The European Union calls on the signatories of the peace agreement and on all those involved in the conflict to strive for an equitable and lasting solution. In this connection, it takes note of Mr. Garang's stated desire to participate in the Abuja talks. The progress of relations between the European Union and the Sudan, in particular as regards the various parties to the conflict, will be closely linked to the efforts of all in seeking peace.

The candidate countries Bulgaria, Croatia,* Romania and Turkey, the countries of the stabilization and association process and potential candidates Albania, Bosnia and Herzegovina, Serbia and Montenegro and the former Yugoslav Republic of Macedonia, and the EFTA countries Iceland, Liechtenstein and Norway, members of the European Economic Area, align themselves with this statement.

* Croatia continues to be part of the stabilization and association process.

United Nations A/ES-10/295–S/2005/38

General Assembly
Security Council

Distr.: General
19 January 2005

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixtieth year

Identical letters dated 18 January 2005 from the Chargé d'affaires, a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

The situation in the occupied Palestinian territory, including East Jerusalem, continues to be marred by instability, escalating tensions and violence. The humanitarian hardships being borne by the Palestinian people as a result continue to rise as Israel, the occupying Power, continues to wage its military campaign in the occupied territory, killing and wounding civilians, destroying property and relentlessly imposing collective punishments on the entire Palestinian civilian population. As reflected in the annexed list of Palestinian martyrs killed over the past two weeks, which tragically includes women and children, there is hardly a single day that passes in which a Palestinian life is not taken by the Israeli occupying forces. Indeed, despite current developments widely believed to herald positive changes in the situation on the ground, the occupying Power continues to commit systematic human rights violations, State terrorism and even war crimes against the Palestinian people under its occupation.

In this regard, in both words and deeds, Israel, the occupying Power, continues to undermine the prospects for a return to dialogue and a calming of the situation on the ground, instead persisting with its unlawful policies and practices against the civilian population. While the recent successful conclusion of the Palestinian elections on 9 January 2005, in which Mahmoud Abbas was elected President of the Palestinian Authority, have increased optimism regarding a resumption of peace negotiations between the two sides, the occupying Power's actions and threats are in total contradiction to the requirements for such a resumption to become a reality. In fact, recent statements made by the Israeli Prime Minister and other Israeli officials reveal Israel's intentions to continue its violent military campaign in the occupied Palestinian territory. On Sunday, Prime Minister Sharon bluntly stated that the occupying forces "have been instructed to step up operational activity against terrorism and they will continue to do so without restrictions — I emphasize,

05-21341 (E) 200105

without restrictions". Moreover, as widely reported, the Prime Minister has ordered the preparation of plans for a large-scale military invasion in the Gaza Strip.

As in the past, Israel, the occupying Power, is choosing force and its military might rather than dialogue and a peace process as its means of dealing with the Palestinian people and their leadership. The Israeli occupying forces continue to raid and launch military attacks against civilian areas and continue to impose severe collective punishments on the population, including closures and other restrictions on movement throughout the occupied Palestinian territory. The situation in the Gaza Strip, in particular, continues to be critical. The majority of civilians killed in recent weeks were killed by the occupying forces in the Gaza Strip. On Saturday, 15 January 2005, the occupying forces committed the wilful killing of a Palestinian man, Nidal Abu Tyour, 22 years old, by sniper fire and then directly shot at and killed a 15 year-old boy, Hazem Talaat Al-Hout, as he tried to help Abu Tyour. The recent killings also included the killing of a mother and her son, Fadda Attiya Abu Arram, age 45, and Abdullah Abu Arram, age 28, and the wounding of the father and another son in Khan Younis on Sunday, 16 January 2005, as they tried to escape their home, which had been hit by Israeli tank shells and then came under attack by the occupying forces.

The humanitarian situation also continues to worsen as the occupying Power has taken measures to completely "seal off" the Gaza Strip. The Israeli occupying forces have closed all border crossings into and out of Gaza, imprisoning millions of civilians inside, many of whom are suffering from illnesses requiring medical treatment to which they have no access, and preventing the return of thousands to their homes in Gaza. Once again, for more than a month, thousands of Palestinian civilians, including children, women, the elderly and the ill, are trapped at the Rafah border, living under dire conditions as they await the occupying Power's opening of the border to allow them to return to their homes. Furthermore, the closure of the Karni crossing, through which all food and other goods enter Gaza, has led to a decrease in the food supply and other necessities for the population as it braces itself for another Israeli onslaught.

The ongoing situation in the occupied Palestinian territory, including East Jerusalem, as a result of such incessant violations by Israel, the occupying Power, of its legal obligations under international law, including, in particular, the Fourth Geneva Convention, is untenable. There can be no progress, either on the ground or in terms of a political dialogue, as long as the occupying Power continues to pursue its illegal policies and practices. Israel must abandon the military option and instead choose the peace option. Israel must cease all military attacks and incursions into Palestinian civilian areas, cease its practice of extrajudicial killings, cease all of its illegal colonization activities, including the building of the expansionist wall and its building of settlements, and must lift all restrictions on the freedom of movement of persons and goods, which not only have debilitated the Palestinian economy and society but also continue to seriously hinder the ability of the Palestinian leadership to carry out its duties and responsibilities. The international community must compel Israel to abide by international law and undertake efforts to assist the two sides to immediately resume peace negotiations towards the implementation of the road map and the realization of the two-State solution.

This letter is in follow-up to our previous 211 letters to you regarding the ongoing crisis in the occupied Palestinian territory, including East Jerusalem, since

28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 4 January 2005 (A/ES-10/293-S/2005/2) constitute a basic record of the crimes committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

Accordingly, in follow-up to the above-mentioned letters, it is my profound regret to inform you that since our last letter to you, at least 34 more Palestinians, including women and children, have been killed by the Israeli occupying forces, raising the total number of martyrs killed since September 2000 to 3,608. (The names of the martyrs that have been identified are listed in the annex to the present letter.)

I would be grateful if you would arrange to have the text of the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Somaia **Barghouti**
Chargé d'affaires, a.i.

Annex to the letter dated 18 January 2005 from the Chargé d'affaires, a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Names of martyrs killed by the Israeli occupying forces in the occupied Palestinian territory, including East Jerusalem* (Wednesday, 5 January, to Monday, 17 January 2005)

Wednesday, 5 January 2005

1. Amjed Khaled Mohammed Al-Najar (18 years old)
2. Fadi Za'al Sobhi Abu Qamar

Thursday, 6 January 2005

1. Mohannad Mahmoud Al-Lahham (18 years old)
2. Mohammed Sami Abu-Sel
3. Hamza Abdelmuoneim Jaber (9 years old)

Friday, 7 January 2005

Mohammed Basheer Ayad

Saturday, 8 January 2005

1. Mahmoud Yahya Al-Fara
2. Najah Mahmoud Zoarob (17 years old) (died from wounds sustained on 28 December 2004)

Tuesday, 11 January 2005

1. Sanad Ghonam Mostafa Kannouh
2. Khadra Khaled Marahil

Wednesday, 12 January 2005

1. Abdallah Youssef Mohammed Al-Dik
2. Wafy Asa'ad Othman Al-Shaibi
3. Shaker Jamal Jouda
4. Ala'a Hamdan El-Shaer

Thursday, 13 January 2005

1. Ala'a Hamdi Hassouna
2. Said Mohammed Abdelsalam

* The total number of Palestinian martyrs killed by the Israeli occupying forces since 28 September 2000 is 3,608.

Friday, 14 January 2005

1. Adel Yassin Sharaf (died from wounds sustained on 30 September 2004)
2. Omar Ramadan Al-Qrinawi (10 years old)
3. Mohannad Mohammed Abdelrahim Al-Mansi (17 years old)
4. Samir Mohammed Fares Joha (18 years old)
5. Mahmoud Majdi Mohammed Al-Masri
6. Mahmoud Hamed Al-Oustath

Saturday, 15 January 2005

1. Issa Abdelwahab Kishko
2. Yahya Farhan Abu Mohayssin
3. Abderrahman Mohammed Abdelrahim Al-Sewsi (18 years old)
4. Fawzi Hamdan Attiya Yassin
5. Nidal Abu Tyour
6. Hazem Talaat Al-Hout (15 years old)
7. Haytham Akram Fayez Abu Nakera

Sunday, 16 January 2005

1. Abdelraouf Awda Abu Namouss
2. Fadda Attiya Abu Arram
3. Abdullah Abu Arram

Monday, 17 January 2005

1. Nidal Abdelhakim Najib Sadek
2. Ahmed Mahmoud Ashour

United Nations A/59/677–S/2005/39

General Assembly
Security Council

Distr.: General
19 January 2005
English
Original: Arabic

General Assembly
Fifty-ninth session
Agenda items 36, 37 and 148

Security Council
Sixtieth year

The situation in the Middle East

Question of Palestine

Measures to eliminate international terrorism

Letter dated 18 January 2005 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General

On instructions from my Government, I should like to draw your attention to the accusations — which are unfounded and represent nothing but overt forms of propaganda and cheap provocation — directed against my country and contained in many letters from the representative of Israel, including those in document A/59/667-S/2005/14, which we do not expect to be the last. In that regard, I should like to state the following:

– All the dangers and threats to peace and security to which the region is exposed are primarily due to the terrorism practised by Israel in order to perpetuate its illegal occupation of Arab territories. It is not unknown to the international community that Israel — the occupying Power — is continuing its unlawful building of the wall erected on occupied Palestinian lands in defiance of the Advisory Opinion of the International Court of Justice, the highest legal authority of the United Nations. In addition, Israel has not ceased confiscating Palestinian lands, destroying houses and agricultural lands and imposing harsher restrictions on the movement of Palestinian citizens and on areas where the wall is being constructed, including its system of permits, which resemble the system of apartheid. The crimes of the Israeli occupation authorities, reflected in random killing — whether in Palestinian lands or outside them — constitute a systematic policy of Israel, despite continued condemnations by the international community and its demands that Israel cease practising that policy. In addition, Israel's settlement policies in occupied Arab territories in the Golan and in Palestine, which constitute war crimes, not to mention other kinds of crime, have continued. No less than 4,000 Palestinians have been slaughtered in a period of nearly three years, including hundreds of children, women and other innocent people. At the same time as Israel alleges that the Lebanese side has violated the Blue Line, it

05-21484 (E) 200105 200105

should be mentioned that Israel has committed no less than 1,000 violations of the Blue Line within the past year alone.

- The Syrian Arab Republic was one of the first countries to have suffered from terrorism and to call for action to combat and counteract it. The Syrian Arab Republic is making every effort to coordinate with a large number of countries and with regional and international bodies in opposing terrorism and terrorists. However, the irony here is the accusation by Israel that everyone who resists its terrorism and calls for an end to its occupation of Arab territories is practising terrorism. This policy has become clear to everyone.

- Israel refers selectively in its letters to certain international resolutions, yet it is well known that Israel is the party which throughout its history has not respected international legitimacy or its resolutions. Rather, Israel has made its challenge to United Nations resolutions the main pillar of its foreign policy, and especially its contempt for United Nations resolutions concerning the ending of Israeli occupation of Arab territories and the restoration to the Palestinian people of their lawful rights. In this connection, we mention only the resolutions which the countries of the world agreed upon as the way to achieve a just and comprehensive peace in the region, and especially Security Council resolutions 242 (1967) and 338 (1973), not to mention hundreds of other resolutions adopted by the Security Council and the General Assembly. The Syrian Arab Republic, on the basis of its belief in a just and comprehensive peace, hopes that the international community will put an end to Israel's disregard of its obligations under international law and international humanitarian law and will not permit it to remain above international law.

- Lastly, the Syrian Arab Republic reaffirms that it has made a just and comprehensive peace in the Middle East its strategic goal. The Syrian leadership has reiterated its desire for a resumption of the peace process in order to achieve such a peace, in implementation of the United Nations resolutions in question and on the basis of the outcome of the Madrid Peace Conference, the principle of land for peace and the Arab principles adopted at the Beirut Summit in March 2002. However, Israel scorned those appeals and placed many conditions on such action, unsupported by any logic, its objective being merely to deceive the international community, distort realities and continue its practice of State terrorism.

I should be grateful if you would have this letter circulated as a document of the fifty-ninth session of the General Assembly under agenda items 148 "Measures to eliminate international terrorism", 36 "The situation in the Middle East" and 37 "Question of Palestine" and of the Security Council.

(*Signed*) Fayssal **Mekdad**
Ambassador
Permanent Representative

United Nations A/59/678–S/2005/40

General Assembly
Security Council

Distr.: General
19 January 2005

Original: English

General Assembly
Fifty-ninth session
Agenda items 36 and 148

The situation in the Middle East

Measures to eliminate international terrorism

Security Council
Sixtieth year

Letter dated 19 January 2005 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

I am writing to draw your attention to the most recent terrorist attacks perpetrated against the citizens of Israel in the last week alone. We find ourselves with a window of opportunity in the Middle East, and those responsible for these attacks, as well as those who refuse to confront them, seem only to be working to close it.

On 18 January 2005, a Palestinian suicide bomber struck the Gush Katif Junction in the Gaza Strip, killing one Israeli and wounding eight more. The terrorist group Hamas proudly claimed responsibility for the attack.

On 17 January 2005, the Hizbullah terrorist organization detonated an explosive device near an Israeli bulldozer being used to clear explosives on the Israeli side of the Blue Line. This follows an incident on 14 January, when the Hizbullah detonated another explosive device in the same area in an attempt to target Israel Defense Forces (IDF), and yet another attack on 9 January 2005 (as detailed in document A/59/667-S/2005/14), when Captain Sharon Elmakayes was killed as a result of an explosive device planted by the Hizbullah. As we have documented before, Hizbullah, with the sponsorship of Syria and Iran, is seeking to destabilize the region and undermine any hopes of peace, and it is using the networks it has developed with Palestinian terrorist organizations operating in the West Bank and Gaza to achieve this end.

On 15 January 2005, the Israeli town of Sderot was once again the target of Palestinian Qassam rockets. As a result, 17-year-old Ella Abukasis was very critically injured and her 10-year-old brother, Tamir, whom she protected from the blast with her body, was also injured. As you know, the town of Sderot continues to be terrorized by incessant and indiscriminate rocket fire from Palestinian-controlled areas. The rockets have claimed numerous lives, including those of young children, injured many civilians and caused extensive damage. They have made living conditions in the city intolerable for many of its inhabitants.

05-21490 (E) 200105

On 13 January 2005, shortly before the closing of the Karni goods crossing in the northern Gaza Strip, terrorists, using explosives, burst through to the Israeli side of the crossing and opened fire indiscriminately at Israeli civilians, including Israeli truck drivers that transport Palestinian goods to the Israeli market. As a result of the explosion and the gunfire, six Israeli civilians were killed, and five more were wounded. During the evacuation of the wounded, the Palestinian terrorists fired an apparent mortar shell that landed near Karni crossing in attempt to do more damage. The terrorist organization Hamas claimed responsibility for that attack.

It bears repeating that the operation of the Karni crossing is designed to ensure the movement of people and goods and enhance access to merchandise, business, food and basic necessities for the Palestinian population. Attacks such as these are the clearest evidence that Palestinian terrorists are determined to harm not just Israelis but the Palestinian people as well — they are the greatest single obstacle to peace.

As the Palestinian director of security at the Karni crossing point said, "if the attackers had the Palestinian interest in mind, and the food that comes in through the Karni crossing, I don't think they would have done it". Those who would blame Israel for the problems of access and unimpeded movement in Palestinian areas would do well to look at these kind of cynical and destructive acts of Palestinian terrorism that compel Israel to take defensive action.

As this gruesome list of terrorist acts shows, there is unfortunately little evidence that the new Palestinian leadership is serious about confronting Palestinian terrorism in accordance with their basic legal and moral obligations, including those in the very first clauses of phase I of the Road Map. The window of opportunity for progress in the peace process will quickly close if the Palestinian leadership does not live up to these elementary obligations.

It is clear that forces in the region, and within the Palestinian-controlled territories, seek to destroy any hopes of peace. It is incumbent on the Palestinian leadership, if it is serious about peace, to reject these forces and act to eliminate the terrorist infrastructure as it is obligated and equipped to do. Despite the toll in Israeli life claimed by these recent attacks, Israel continues to exercise restraint and hopes that the new Palestinian leadership will finally meet its obligations and adopt a policy of zero tolerance for terrorism. Israel is ready to engage in a serious effort to renew the peace process and live up to its own obligations, but it will not and it cannot tolerate a situation in which Palestinian leaders speak of peace and abide terror at the same time. In the continued absence of genuine and uncompromising Palestinian efforts to eradicate the Palestinian terrorist campaign, Israel will be compelled to take the necessary defensive measures to bring an end to the killing of its civilians in accordance with international humanitarian law.

Israel calls upon the international community to reaffirm its absolute rejection of terrorist tactics and to accept nothing less than the complete dismantling of terrorist organizations, as well as unyielding efforts to prevent terrorism and bring its perpetrators and supporters to justice, in accordance with international law and Security Council resolutions, in particular resolution 1373 (2001), as well as the Road Map. To delay such actions is a direct and immediate threat to the fragile hopes of peace that have been rekindled in the region.

I submit the present letter in follow-up to numerous letters detailing the campaign of Palestinian terrorism launched in September 2000, which document the crimes for which the terrorists and their supporters must be held fully accountable.

I should be grateful if you would arrange to have the text of the present letter circulated as a document of the fifty-ninth session of the General Assembly, under agenda items 36 and 148, and of the Security Council.

(*Signed*) Ambassador Dan **Gillerman**
Permanent Representative

United Nations A/59/679–S/2005/41

General Assembly
Security Council

Distr.: General
20 January 2005

Original: English

General Assembly
Fifty-ninth session
Agenda item 33
Consequences of the Iraqi occupation of and aggression against Kuwait

Security Council
Sixtieth year

Letter dated 19 January 2005 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith a letter addressed to you by Abdullah Gül, Deputy Prime Minister and Minister for Foreign Affairs (see annex).

I would be grateful if the text of the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 33, and of the Security Council.

(*Signed*) Baki **İlkin**
Ambassador
Permanent Representative

05-21522 (E) 240105

Annex to the letter dated 19 January 2005 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

As I have done in the past, I would like to share some of my Government's thoughts and concerns on Iraq with you.

We are again approaching a critical turning point in the trying process of Iraqi political transition. The first free elections in many decades are only days away. The United Nations mission, with its limited staff and scope, has been doing exemplary work. I have always stated that a clear United Nations seal on the elections would make its results more legitimate in the eyes of the Iraqis and beyond. The Iraqi authorities are similarly deploying great effort in the preparation of these elections.

But we are equally aware of the circumstances in which this popular experiment is to take place. Security, especially in central Iraq, is ever more elusive, and one large segment of Iraqi society is either unwilling or feels unable to take part in the elections. Turkey's own efforts to persuade this group to make a strong showing in this electoral process has also had a limited effect.

Thus, the results of the 30 January elections may well be below our expectations. When endorsing the current political timetable contained in Security Council resolution 1546 (2004), the objective of the international community had been, and still is, to transfer sovereign authority to a transitory government conferred by popular mandate. In simple percentages, these elections can still deliver that. But qualitatively, there will likely be a gap which will need to be bridged effectively later in the process. As the drafting of the new Iraqi constitution will get under way in the next phase, the participation of all Iraqis in this undertaking will become all the more important. Absence in the Transitional National Assembly should not result in exclusion from the drafting process. Turkey will work with the Iraqis, with the United Nations and with all players of the international community in helping to forge national reconciliation in Iraq up to the point at which the transition is brought to its successful conclusion.

On the other hand, we will have to deal, with equal resolve, with more immediate challenges that may stifle the entire project of a territorially integral, politically united, democratic and peaceful Iraq. These challenges manifest themselves in different ways. We have all along focused, and rightly so, on the security threats and terror posed by myriad groups. Those who see no future for themselves in a peaceful and democratic Iraq must be confronted in the most determined fashion. But defeating the physical threat alone cannot bring about the harmony we are all striving for. The inherent security of the Iraqi political and social fabric lies in the ability of all Iraqi groups to reconcile their own priorities and interests with those of Iraq as a whole. There is apparently a way to go on this account.

At a time when all of us are trying hard to help the common national agenda of Iraq to prevail over individual and sectarian ones, we see persistent efforts to the contrary. Despite the fact that no major clashes of an ethnic or sectarian nature have occurred so far, the international community cannot remain complacent about what it is witnessing now.

In this respect, Kirkuk is a case in point. Attempts to drastically change the demographic structure of the city and the province of Kirkuk continue unabated. There are certainly claims and issues to be addressed in conjunction with property ownership and resettlement in Kirkuk, as well as in a number of other places. The need to bring these matters to a satisfactory conclusion was also highlighted in the Transitional Administrative Law drawn up by the now defunct Iraqi Governing Council. However, what was suggested in that temporary document, and what should naturally be the way, is that these issues have to be settled collectively in Baghdad, in a national framework, and not through the illegitimate unilateral transfer of a sizeable population to the disputed areas and by taking hold of those areas by sheer projection of force. The latest accounts about the number of new settlers in Kirkuk are alarming, and are now estimated in the hundreds of thousands.

Because of the election law applicable for 30 January, this population shift may not have as much of an impact on the results of the balloting for the Transitional National Assembly as it would on province-level voting. It is worrying that certain political groups have been tampering with the demographics of Kirkuk to claim supremacy of power through elections.

An equally worrying tendency is an effort to turn the elections also into a referendum for independence in northern Iraq. A campaign with outside involvement has been going on for some time now, and most recently a group has also approached the United Nations to file a petition for such a referendum.

Let us be totally clear here. There can be no charting of Iraq's future partially. If those who instigate such an outcome invest in the hope that Iraq may after all not be able to hold together under the current circumstances, they will be making a fatal error of judgement. I am confident that the Iraqi nation as a whole will not allow that to happen. And, given the recent history, the Iraqi issue is not an Iraqi one alone. It has impacted, is impacting and will impact the region. And the region, as evidenced by two full years of the Neighbouring Countries Initiative, will stand firmly behind Iraq's integrity.

(*Signed*) Abdullah **Gül**
Deputy Prime Minister and Minister for Foreign Affairs

United Nations S/2005/42

Security Council

Distr.: General
20 January 2005

Original: English

Report of the Secretary-General concerning the credentials of the alternate representative of Argentina on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a letter dated 17 January 2005 from the Permanent Representative of Argentina to the United Nations stating that Roberto García Moritán has been appointed to alternate representative of Argentina on the Council.

In the opinion of the Secretary-General, that communication constitutes adequate provisional credentials.

05-21516 (E) 200105